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PTO/SB/65 (03-09)

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**PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF  
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))**

Docket Number (Optional)

Mail to: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450  
Fax: (571) 273-8300

07/19/2012 DALLEN 00000011 6059633

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**NOTE:** If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent Number: 6059633

Application Number: 09250475

Issue Date: 05-09-2000

Filing Date: 02-13-1999

**CAUTION:** Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

**Also complete the following information, if applicable:**

The above-identified patent:

☐ is a reissue of original Patent No. \_\_\_\_\_ original issue date \_\_\_\_\_  
original application number \_\_\_\_\_  
original filing date \_\_\_\_\_

☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international application  
\_\_\_\_\_ filed on \_\_\_\_\_

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**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is

(1) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 OR

(2) transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

DC  
10-20-2011 7/11/12  
Date

Diane Currier  
Signature

Diane Currier

Typed or printed name of person signing Certificate

[Page 1 of 4]

This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**1. SMALL ENTITY**☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27**2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS**☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)**3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))**

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input checked="" type="checkbox"/> \$ _____	3 ½ yr fee	(1551)	<input checked="" type="checkbox"/> \$ 565	3 ½ yr fee	(2551)
<input type="checkbox"/> \$ _____	7 ½ yr fee	(1552)	<input checked="" type="checkbox"/> \$ 1425	7 ½ yr fee	(2552)
<input type="checkbox"/> \$ _____	11 ½ yr fee	(1553)	<input type="checkbox"/> \$ _____	11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ \_\_\_\_\_

**4. SURCHARGE**

The surcharge required by 37 CFR 1.20(i)(1) of \$ 700 (Fee Code 1557) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ 700

**5. MANNER OF PAYMENT**☒ Enclosed is a check for the sum of \$ 2690☐ Please charge Deposit Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_☒ Payment by credit card. Form PTO-2038 is attached.**6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY**☐ The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. \_\_\_\_\_

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**7. OVERPAYMENT**

As to any overpayment made, please

☐ Credit to Deposit Account No. \_\_\_\_\_

OR

☒ Send refund check**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

**8. SHOWING**

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

**9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.**

Diane Currier  
Signature(s) of Petitioner(s)

7/10/2014 7/11/12  
Date

Diane Currier

Typed or printed name(s)

103 Bradford Pl. SE

Address

Poplar Grove, IL 61065

Address

Registration Number, if applicable

815-742-9784

Telephone Number

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**ENCLOSURES:**

- ☒ Maintenance Fee Payment  
☒ Statement why maintenance fee was not paid timely  
☒ Surcharge under 37 CFR 1.20(i)(1) (fee for filing the maintenance fee petition)  
☐ Other: \_\_\_\_\_

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

Diane Currier  
Signature

10-20-2011 7/11/12  
Date

Diane Currier  
Type or printed name

\_\_\_\_\_  
Registration Number, if applicable

**STATEMENT**

(In the space below, please provide the showing of unavoidable delay recited in paragraph 8 above.)

In 2003 my son (a U.S. Marine) was paralyzed from the chest on down, including his hands. See attached article.

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(Please attach additional sheets if additional space is needed)

In 2003 my son Noah (a U.S. Marine) was paralyzed from the chest on down, including his hands. See attached article. At that point my husband and I decided since I'd have to be his caregiver we would open a business across the street from our home so we could be close to our son. At that time the commercial lender insisted we purchase more land for the business, so I went to my friend Ken Hendricks, he agreed to loan us the additional money and as a sign of good faith I used my patent as collateral with the understanding that I could have it back (although it was never assigned to him, it was an honor-system) when he was paid in full, which was accomplished in August 2005. The patent was then considered mine again, we joked about how it was always mine anyway. We both had the same patent attorney and told him about our agreement, since I hadn't received any notice and was busy taking care of my son and running the business, I assumed that my friend Ken Hendricks paid the maintenance fees.

Since then Ken passed away (see attached, and yes, ironic obituary). I was struggling with the business and taking care of my son and had to file bankruptcy (cases #1181320 & 1181317) both with the business and personally. Our business foreclosed, I had spinal meningitis and encephalitis which took 2 years to fully recover from. As I write this I am awaiting thyroid and brain surgeries. I seriously cannot make this stuff up.

All that being said, I am asking for your mercy to re-instate my patent so I can re-build my life. I am enclosing all the fees, along with a prayer... I am also requesting that this letter and it's contents will remain confidential in your archives due to it's very personal nature.

Thank you very much for your consideration.

Diane Currier

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## Family prays for injured Marine

After returning from duty in Iraq, Noah Carrier was paralyzed in an auto accident. By ROBERT BAXTER, *Rockford Register Star*

[Click here for more about Robert](#)

**CANDLEWICK LAKE** — Mark Carrier erected a 16-foot flagpole in his front yard in March as a symbolic beacon for his son, Noah, to find his way home from Iraq.

For the better part of a day, he inched his way through frozen ground. At night, he'd play taps on his saxophone. Neighbors thought Carrier was crazy. But sure enough, Noah found his way home from serving on dangerous reconnaissance missions in Iraq.

Then in the early morning hours of June 2, a day after members of Noah's family visited him in San Diego and had returned home, 21-year-old Noah was involved in a car crash near Camp Pendleton.

He remains in a military hospital, paralyzed from the chest down. "We were really worried about him when he was gone," said Dustin Carrier, Noah's 14-year-old brother. "But once he got back here, we were relieved, and we knew he would be home in a couple of weeks. "Then this happened."

### 'Unstoppable'

The family flew back out to California. Noah was breathing but unable to cough. Normal body secretions filled his lungs. "None of us are willing to accept that Noah will not overcome this," Mark Carrier said. "His nickname was 'Unstoppable' growing up, and we believe his body might be busted up a little bit, but his spirit is so strong and perfectly intact. That is so important."

Mark and Dustin returned home recently. Diane Carrier, Noah's mom, remains at his side in a Mission Viejo, Calif., hospital. Military doctors continue to assess his future capabilities. Months of rehabilitation lie ahead. "Many who suffer spinal cord injuries die of pneumonia because they can't expel the secretions that build up," Mark Carrier said. Once he is physically stable, Noah will be moved to a facility either out west or closer to home. "He is 21, and life is unfolding in front of him," his father said. "I fully expect to put an addition onto the house for him to live here. If we find out six months from now that isn't what he wants, we will help in whatever other ways we can."

### 'Tip of the spear'

Members of Noah's family had spent hours glued to 24-hour news channels late last winter and throughout the early spring tracking U.S. progress in Iraq and hoping they would not hear Noah's name as a casualty. Diane Carrier spent her time painting an old church pew bright colors in the family's spacious living room, with first CNN, then Fox News running nearly nonstop. She also wrote two songs, and friends sang and wrote music as a tribute to her son.

"Noah was among the first to arrive in cities like Baghdad," Mark Carrier said. "They are

what the military calls the 'tip of the spear.' They go in in small groups and see what kind of fire they can draw, then report back to larger units what type of resistance to expect." Most days were tense for the Curriers, who couldn't communicate with Noah during most of his time overseas.

Once word reached them that Noah was on his way back in late May, they breathed easier. On June 2, Noah was a passenger in a vehicle coming back to camp from leave. "Noah may have been asleep when the driver went down a 20-foot embankment. Nobody knows really what happened; we only know the result," Mark Currier said.

Dustin has returned from the California hospital to his Candlewick Lake home to attend a music camp. He and his brother play guitars. Noah also played sports and keeps himself in great shape through exercise, his brother said.

"I think his goal was he pretty much always wanted to be a Marine," Dustin said. "We both love music. The other day, we were outside, and my dad called and my mom put the phone up to his ear and I played guitar for him. "We're just trying to be there for whatever he needs."

**Age:** 21

**Family:** Father, Mark; mother, Diane, brother, Dustin.

**Education:** Graduate of North Boone High School, Class of 2000.

**Rank:** Corporal, United States Marine Corps.

**Active duty:** Joined U.S. Marine Corps in August 2000; has served two tours of active duty, one in Afghanistan and most recently in Iraq.

**Military honor:** Noah's sergeant and lieutenant are recommending him for the U.S. Navy's achievement award for valor in combat, one of the most distinguished awards given by the Navy.

**Status:** Injured in car crash June 2 near Camp Pendleton in San Diego, just days after returning to the United States from Iraq.

**Injuries:** Suffered severe spinal injury. He breathes on his own and is talking but is paralyzed from the chest down.

**What's next:** Family expects to place Noah in an intensive rehabilitation center, likely in San Diego, Milwaukee or Chicago. He will undergo months of treatment as doctors determine the severity of his injury and what type of independence he may be able to achieve.

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Gary L. Carlson/Rockford Register Star

Mark Currier stops a minute as he talks about his son Noah (pictured at left) and his medical problems. Noah was injured after he returned from Iraq and Afghanistan unharmed.

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# Ken Hendricks

From Wikipedia, the free encyclopedia

**Kenneth A. Hendricks** (September 8, 1941 – December 21, 2007) was a businessman who grew a shingle supply company into a \$2.6 billion fortune and a spot on the Forbes 400. Primarily associated with Beloit, Wisconsin, Hendricks lived in nearby Afton.

Hendricks, born and raised in Janesville, Wisconsin, was a high school dropout who joined his father in the roofing business, reshingling houses on weekends. He eventually started his own firm, which grew into a 500-man multi-state operation by 1971, a time when most roofers were still local. After giving the company to the employees so he would have more personal time, he started ABC Supply by purchasing 3 failing Bird and Sons locations. Through the years ABC Supply has expanded to almost 500 stores through new start-ups and acquisitions. Most recently ABC acquired the second largest roofing distributor Bradco Supply (<http://www.bradcosupply.com>) in 2010. ABC Supply has become the largest U.S. wholesaler of roofing, siding, windows and gutter supplies, with annual sales over US\$3 billion. This rapid growth is a direct result of Ken's vision that to be successful in a business you must put you employees first, if they are happy then they will continue to keep you customers happy. Hendricks remained the sole owner, and was added to the Forbes 400 in 2004. In 2006, with his personal wealth estimated at \$2.6 billion, Hendricks was added to the Forbes list of the world's billionaires.

Hendricks also owned the Beloit Plaza mall and the former Beloit Corporation manufacturing complex, much of which has been completely redeveloped; ABC Supply took over most of the disused Fairbanks-Morse complex, as well. In 2008, he was posthumously awarded, with his widow Diane, a special "20 Year Award of Excellence" from the Downtown Beloit Association because they "nurtured a small movement" that re-energized the city business district.<sup>[1]</sup>

In 2001, Hendricks was cited for exceeding the state's campaign laws mandating a \$10,000 limit on political contributions. No legal action was taken.<sup>[2]</sup>

Hendricks and his wife Diane owned and ran several other companies through the Hendricks Group. He was known for his interest in green building technology, and was set to build an environmentally friendly roof for a complex at the 2008 Summer Olympics in Beijing. Hendricks was involved in efforts to build a new stadium for the Beloit Snappers minor-league baseball team, and was the developer of a residential plot in Janesville.

In 2006, *Inc.* named Hendricks its 2006 Entrepreneur of the Year award<sup>[3]</sup> and he was featured on the magazine's cover.<sup>[4]</sup> *Inc.* had ranked ABC Supply its #1 *Inc. 500* business in 1986, after which it was too large to list.

## Death

Hendricks died December 21, 2007, aged 66. Hendricks fell through a sub floor under construction and into the garage of his home.<sup>[5]</sup> He left behind his wife, Diane, and seven children.<sup>[6]</sup>

In 2008, the film *An American Carol* is dedicated in his memory.<sup>[7]</sup>

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## External links

- "Up on the Roof" ([http://www.forbes.com/forbes/2004/1129/184\\_print.html](http://www.forbes.com/forbes/2004/1129/184_print.html))
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Categories: 1941 births 2007 deaths Accidental deaths from falls American billionaires American businesspeople People from Beloit, Wisconsin People from Janesville, Wisconsin Accidental deaths in Wisconsin

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## UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER (optional) Mark E. Robinson
B. SEND ACKNOWLEDGMENT TO: (Name and Address)  Mark E. Robinson Roethe Law Firm 305 S. Main Street Janesville, WI 53545

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

## 1. DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (1a or 1b) - do not abbreviate or combine names

1a. ORGANIZATION'S NAME				
OR	1b. INDIVIDUAL'S LAST NAME Currier	FIRST NAME Diane	MIDDLE NAME	SUFFIX
1c. MAILING ADDRESS 103 Bradford Place SE		CITY Poplar Grove	STATE IL	POSTAL CODE 61065
1d. TAX ID # SSN OR EIN *	ADD'L INFO RE ORGANIZATION DEBTOR	1e. TYPE OF ORGANIZATION	1f. JURISDICTION OF ORGANIZATION	1g. ORGANIZATIONAL ID #, if any <input type="checkbox"/> NONE

## 2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (2a or 2b) - do not abbreviate or combine names

2a. ORGANIZATION'S NAME				
OR	2b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX
2c. MAILING ADDRESS		CITY	STATE	POSTAL CODE
2d. TAX ID # SSN OR EIN *	ADD'L INFO RE ORGANIZATION DEBTOR	2e. TYPE OF ORGANIZATION	2f. JURISDICTION OF ORGANIZATION	2g. ORGANIZATIONAL ID #, if any <input type="checkbox"/> NONE

## 3. SECURED PARTY'S NAME (or NAME of TOTAL ASSIGNEE of ASSIGNOR S/P) - insert only one secured party name (3a or 3b)

3a. ORGANIZATION'S NAME				
OR	3b. INDIVIDUAL'S LAST NAME Hendricks	FIRST NAME Kenneth & Diane	MIDDLE NAME	SUFFIX
3c. MAILING ADDRESS One ABC Parkway		CITY Beloit	STATE WI	POSTAL CODE 53511

## 4. This FINANCING STATEMENT covers the following collateral:

A United States Patent owned by Diane Currier, being patent# 6,059,633 dated May 9, 2000 for a Front-Opening Garment with a Built-in Front Opening Bra. Such statement shall include, but not be limited to cover all royalties, contract rights, licenses, and assignments due Debtor.

5. ALTERNATIVE DESIGNATION (if applicable):	LESSEE/LESSOR	CONSIGNEE/CONSIGNOR	BAILEE/BAILOR	SELLER/BUYER	AG. LIEN	NON-UCC FILING
6. (If the FINANCING STATEMENT is to be filed (or record) (or recorded) in the REAL ESTATE RECORDS Attach Addendum (if applicable)	7. Check to REQUEST SEARCH REPORT(s) on Debtor(s) (ADDITIONAL FEE) (optional)	All Debtors	Debtor 1	Debtor 2		
8. OPTIONAL FILER REFERENCE DATA Diane Currier						

FILING OFFICE COPY — NATIONAL UCC FINANCING STATEMENT (FORM UCC1) (REV. 07/28/88)

\* An Individual's social security number is not required to be placed on the form in Wisconsin (See Instructions)

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US006059633A

**United States Patent** [19][11] **Patent Number:** **6,059,633****Currier**[45] **Date of Patent:** **May 9, 2000**[54] **FRONT-OPENING GARMENT WITH BUILT-IN FRONT-OPENING BRA**[76] **Inventor:** **Diane Currier**, 103 Bradford Pl. SE., Poplar Grove, Ill. 61065[21] **Appl. No.:** **09/250,475**[22] **Filed:** **Feb. 13, 1999**[51] **Int. Cl.<sup>7</sup>** ..... **A41C 3/08**[52] **U.S. Cl.** ..... **450/31; 450/7; 450/8; 450/9; 450/10; 450/11**[58] **Field of Search** ..... **450/31, 1, 8, 7, 450/9, 10, 11, 14-17, 28, 26, 30, 33; 2/105, 106, 114, 69, 78.1, 74, 109, 110**[56] **References Cited****U.S. PATENT DOCUMENTS**

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**Primary Examiner**—Gloria M. Hale  
**Attorney, Agent, or Firm**—Keith Frantz

[57] **ABSTRACT**

A women's upper-body garment is provided with a front-opening outer garment and a front-opening inner bra having shoulder straps attached to the inside shoulders of the outer garment, and having breast supporting portions with elastic perimeter portions and formed to support the underside of the breasts.

**10 Claims, 4 Drawing Sheets**